



AMATORIO LAW

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March 11, 2020

THE HON. KATHERINE POLK FAILLA

U.S. Courthouse
40 Foley Square Room 640
New York, NY 10007

MEMO ENDORSED

**Re: District Attorney of New York, v. The Republic of the
Philippines, et al., No 14-890 (KPF) -**

Dear Judge Failla:

In compliance with the Order of the Court dated November 15, 2019, to inform the Court of the Republic's decision with respect to Mr. Tuy's claim for the contingent fee, I have been authorized to state that the Republic will not pay Mr. Tuy his claimed contingent fee. The decision is based on the Republic's reading of the retainer agreement it signed with Mr. Tuy.


The Republic further states that there is a pending request with the Court for a Motion to Vacate contained in an ex parte sealed letter dated February 11, 2020, in which outcome, may potentially affect the claims filed by Mr. Tuy.

There being conflicting positions between the Republic and Mr. Tuy, it is respectfully prayed that both parties be given the opportunity to brief the Court. The Republic affirms that it would abide by any ruling the Court would make, regarding this issue.

Respectfully submitted,

ARVIN G. AMATORIO, ESQ.
Counsel for the Republic

We affirm that we have authorized ARVIN G. AMATORIO, Esq. to file the foregoing letter for the PCGG and the Republic.



REYNOLD S. MUNSAYAC
Acting Chairman



REY E. BULAY
Commissioner



JOHN A. AGBAYANI
Commissioner

The Court is in receipt of the Republic's letter concerning Mr. Tuy, and believes that a conference is warranted for the presentation of arguments by the Republic, its current lawyer, and prior counsel Kenneth C. Murphy and Salvador E. Tuy, Jr. Therefore, the Court ORDERS the Republic and its present and former counsel to appear for a conference on **June 16, 2020, at 3:00 p.m.** in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York. The Court will address the Republic's *ex parte* request under separate cover.

Dated: March 16, 2020
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE